

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO:
ALL CASES IDENTIFIED IN **EXHIBIT A**
TO UNDERLYING MOTION

**PLAINTIFFS' MOTION TO EXCLUDE OR LIMIT THE OPINIONS AND
TESTIMONY OF DR. SALIL KHANDWALA, M.D.**

Plaintiffs in actions listed on attached Exhibit A, pursuant to Federal Rule of Evidence 702, 403, 104 and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), hereby submit this Motion to Exclude the Opinions and Testimony of Salil Khandwala, M.D. Defendant Ethicon has designated Dr. Khandwala, a urogynecologist, to offer opinions on cases involving the Prolift or Prolift+M devices as well as the components Gynemesh PS and Ultrapro mesh. The Court should exclude Dr. Khandwala's opinions because he attempts to opine on subjects that exceed the bounds of his qualifications, and are founded on insufficient facts and unreliable methodology. In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the following attached exhibits:

1. A list of each case to which this motion applies, identified by case style and number, attached as Exhibit A.
2. A true copy of the General Expert Report of Salil Khandwala, M.D., attached as Exhibit B.
3. A true copy of the Deposition of Salil Khandwala, M.D., attached as Exhibit C.

4. Lin, T. Y., et al. Risk factors for failure of transvaginal sacrospinous uterine suspension in the treatment of uterovaginal prolapse. *J. Formos. Med. Assoc.* 2005;4: 249-253, attached as Exhibit D.
5. Khandwala S., et al. Role of Vaginal Mesh Hysteropexy for the Management of Advanced Uterovaginal Prolapse. *J Reprod Med.* 2014 Jul-Aug;59(7-7):371-8, attached as Exhibit E.
6. Chmielewski L., et al. Reanalysis of a randomized trial of 3 techniques of anterior colporrhaphy using clinically relevant definitions of success. *Am J Obstet Gynecol* 2011;205:69.e1-8, attached as Exhibit F.
7. Nguyen J., et al. Outcome After Anterior Vaginal Prolapse Repair. *Obstet Gynecol.* 2008 Apr;111(4):891-8, attached as Exhibit G.
8. Vollebregt A., et al. Primary surgical repair of anterior vaginal prolapse: a randomized trial comparing anatomical and functional outcome between anterior colporrhaphy and trocar-guided transobturator anterior mesh. *BJOG* 2011;118:1518-1527, attached as Exhibit H.
9. Dietz HP., et al. Mesh contraction: myth or reality? *Am J Obstet Gynecol* 2011;204:173.e1-4, attached as Exhibit I.
10. Elmer C., et al. Trocar-guided transvaginal mesh repair of pelvic organ prolapse. *Obstet Gynecol.* 2009 Jan;113(1):117-26, attached as Exhibit J.

As set forth more fully in Plaintiffs' Memorandum in Support of Its Motion, the Court should exclude the testimony and opinions of Defendant's expert witness Salil Khandwala, M.D.

Dated: April 21, 2016

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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2016, a true and correct copy of this Motion and Exhibits were served via electronic mail with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF counsel of record.

/s/ Aimee H. Wagstaff, Esq.